Executive summary
One of the fundamental reasons for which the Lisbon Treaty came into existence concerned the need to bring more coherence to the external representation of the EU. Two years after its implementation, we ask whether the treaty has satisfied this expectation and, to this aim, we take a look at the voting outcomes in the United Nations General Assembly (UNGA). The statistical analysis of the EU Member States’ voting behaviour based on the UNGA roll-call data from 1993 to 2011 points out, on one hand, that there is no substantial increase in the voting cohesion of the EU since the enforcement of the treaty and, on the other hand, that there is no sufficient proof to affirm the EU stands more united than other regional organizations within the UNGA. Although this investigation could be labelled as “premature” with regard to drawing firm conclusions on the effects of the Lisbon Treaty, it nevertheless contributes to identifying current and future possible trends in the performance of the EU as a player on the international arena, notably in global organizations such as the UN. In light of our findings, we see the strengthening of the roles of the EEAS and the High Representative of the Union, the attaining of an enhanced status at the UN and the full consensus of the EU Member States within the UN framework as effective means to further consolidate the coherence of the European reaction to world-wide issues.

New EU representation at the UN
The Lisbon Treaty entered into force on 1 December 2009. Since then it has generated a set of institutional innovations, transforming the manner in which the Union functions both internally and externally. Such reforms include – among other aspects – a permanent office of President of the European Council (separated from any other national dignity as stipulated by Art.15.6 TEU), an office of High Representative of the Union for Foreign Affairs and Security Policy (HR), a legal personality for the Union (replacing and succeeding that of the Community), and the creation of a European External Action Service (EEAS) mandated to assist both the President of the European Council and the High Representative in their workings. All of these changes constitute attempts to provide the EU with a ‘voice’ so it can better articulate its message to the outside world. The amendments brought by
the Lisbon Treaty have implications also for the representation of the Union in other international organizations, such as the UN.

For instance, the Commission’s delegation and the Council’s Liaison Office merged into a single EU delegation to the UN under the authority of the High Representative. In its capacity as a newly refashioned legal entity, the EU obtained a ‘super-observer’ status at the UNGA with the adoption of the UNGA Resolution 65/276 of 3 May 2011 which allowed EU representatives to participate in the general debates, to submit proposals and amendments and to reply in matters concerning the position of the Union. Moreover, the Lisbon Treaty has narrowed down the information gap among the Member States by requiring those which are part of the Security Council to fully inform the others and the HR and to request the HR to present the common position of the Union (Art.34 TEU).

Whereas before the Lisbon Treaty entered into force EU representation at the UN was fragmented and highly dependent on the capacities and ambitions of the Member State holding the six-month rotating presidency of the European Council, after the implementation of the treaty the act of representation ended being an option and started being the primary responsibility of the HR who, unlike the former rotating presidency, is less sensible to particular national interests. Therefore, what the Lisbon Treaty did in respect to the representation of the EU at the UN was to bring all the pre-existing dispersed and significantly weaker mandates under the umbrella of the HR who now becomes the sole depository of this power.

**Evaluating the reforms: more cohesion in the EU club?**

The Lisbon Treaty has established a foundation for future European integration in the realm of foreign affairs. However, in terms of cohesion, its effects are – at least for the time being – rather ambiguous.

In spite of its noted merits, the new treaty allows for institutional rivalries between the EEAS and the Commission as well as between the President of the European Council and the HR. This means that the effectiveness of EU representation depends not only on the personalities of the individuals exercising the respective leaderships, but also on how successful they are in cooperating with one another and in coordinating Member State policies through their personality-related resources (Blockmans and Wessel 2009). So far, the assessment regarding the President and the HR has been characterized by opinions of extreme diversity, ranging from praises to fierce criticism.

Moreover, decisions over CFSP matters are still mainly subjected to unanimity, enabling Member States to exert considerable influence over the decision-making process. Furthermore, the treaty has extended enhanced cooperation to the field of defence, posing the potential risk of further fragmentation within the EU (Cantore 2011). Although the EU has improved its status at the UNGA, there is a lack of genuine acknowledgement of its legal personality as it does not enjoy its own seat in the UNSC.

There is also the question of whether the Member States feel seriously engaged in pursuing and enforcing the reforms incorporated in the Lisbon Treaty. The disagreement among the EU Member States on the conflicts in Libya and Syria reflect a somewhat problematic trend in terms of homogeneity of positions and willingness to advance the cause of deeper integration (Gottwald 2011). In the current climate of economic crisis, it is difficult to imagine that the Member States will want to make full use of the treaty’s reformative potential in the area of foreign policy (Youngs 2012).

Keeping in mind these considerations, it is unclear whether the Lisbon Treaty will contribute to increasing the voting cohesion of the ‘EU group’ in the UNGA. The statistical results of our quantitative analysis show there is no substantial strengthening since the enforcement of the treaty in 2009, nor has the EU become more united than other analyzed regional organizations in the UN\(^1\). Our findings further suggest that EU enlargements have had no influence and, contrary to many expectations, they have not caused a decrease in the voting cohesion. In fact, a modest increase has

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\(^1\) The Arab League, the Association of Southeast Asian Nations, the African Union, the Caribbean Community, the Commonwealth of Independent States and the Economic Community of West African States.
been registered from 1993 to 2011, in spite of the last three successive waves of enlargement (1995, 2004 and 2007) by which the Union expanded from 12 to 27 Member States.

Nevertheless, there are issues over which consensus needs to be reached. For instance, on topics such as nuclear disarmament and non-proliferation, EU Member States take very different positions according to their particular interests. While France and the UK often intend to safeguard their nuclear potential, other middle or smaller powers like Sweden, Ireland and Austria rather aim to contribute to building a nuclear-free world. Furthermore, consistent with the findings of some earlier studies, EU voting cohesion ranks the highest on ‘Middle East’ resolutions, but shows the least coherence on resolutions dealing with decolonization. Decolonization appears to be an issue also generating the largest extent of fluctuation, suggesting the existence of frictions among Member States. Therefore, it is important to note at this point that national interests and policy priorities are, in effect, still a powerful driving force for the voting behaviour of the EU Member States (Birnberg 2009).

In conclusion, it is unlikely that the Lisbon Treaty will swiftly increase the degree of external coherence, let alone full consensus. Time is needed for the HR and the EEAS to establish workable and trustworthy relations with the Member States. Time is again needed to achieve a smooth balance among the different leading policy-makers in the area of EU foreign affairs. Positive outcomes can cement the legitimacy of these transformations and can consequently open the way to an ever more natural cooperation between the actors operating in the EU framework. Expressed in different terms, the governments and the relevant supranational players in foreign affairs are likely to accept the HR and the EEAS in due course, but notably if they demonstrate efficiency and the capacity to offer tangible advantages, which in turn depends on the room of manoeuvre attributed to them in practice.

Recommendations

Despite the recent changes and contributions brought by the Lisbon Treaty, flaws continue to exist in the institutional design of the Union, affecting its representation abroad and at home. Since the procedure of treaty revision is complicated and would certainly take considerable time, more punctual, specific technical solutions are advised.

Firstly, the role of the High Representative as the leading figure of EU foreign policy making could be further strengthened. The office of HR must take a leading role in setting policy priorities and should act as the contact agent on behalf of the EU when it comes to relations with third countries. Arguably, the way in which the mandate is implemented today, with so many roles that the HR must fulfill (such as vice-president of the Commission, head of the European Defense Agency, head of the EEAS, chair of the Foreign Affairs Council), makes it rather an impossible mission than a proper job (Hoquee 2011). Therefore, granting more flexibility and space of maneuver by putting at his or her disposal more (manpower) resources could help the HR in carrying out the mandate effectively.

Secondly, in order to better assist the HR and other EU bodies in their activity, the EEAS should act as a comprehensive and proactive policy entrepreneur, capable of developing EU foreign policy strategies, providing analysis regarding current issues of world politics, and of submitting proposals on how the EU should react to any given situation (Balfour, Bailes and Kenna 2012). Evidently, impartiality and professionalism are the guiding principles when providing the EU institutions and the Member States with the information they need. To ensure these two ‘golden principles’, a careful selection process must be conducted so as to recruit personnel with different background and expertise in diverse areas. Regular and intense training programmes will improve daily working skills, and – more importantly – enable shared understanding of EEAS working approaches.

Moreover, connecting the EEAS to national diplomatic services can consolidate the relations with the Member States (Whitman 2010) and would possibly make the EEAS more visible and present inside the EU. National embassies could transfer some of their competencies to the EEAS to avoid duplication fatigue and unnecessary costs. Just as in the European and Euro-Atlantic military sphere, concepts such as “pooling and sharing” or “smart defense” have been elaborated and implemented to save costs, particularly in times of economic crisis, so too the diplomatic sector of the EU can adopt
similar concepts for the same pragmatic purposes. On the other hand, should the economic crisis come to an end in the near future, thus making resources available once again, the EEAS could benefit greatly from this context (Lehne 2011).

Thirdly, to increase the external cohesion of the EU, further convergence of policy preferences and better internal coordination among the Member States are required in the long-run (Rasch 2008). The process of coordination must be more streamlined and less time-consuming. In order to make decision-making more efficient, qualified majority voting (QMV) could be applied to more areas, including other issues related to CFSP. A more transparent policy-making system is also needed to promote mutual understanding among EU Member States. Mutual understanding would be achieved easier if information sharing becomes more frequent. In this sense, the formal processes of exchanging information among Member States and EU institutions could be complemented by informal channels of communication.

More specifically, in terms of EU voting, the reality that EU cohesion ranks very high in some issue areas, such as ‘Middle East’ or human rights, should be cultivated in the direction of moving towards full consensus. In other cases where cohesion has been traditionally low, such as nuclear or decolonization issues, there is probably not all that much that can be done to achieve consensus in the short-run. However, by setting up early warning mechanisms and dispute settlement procedures, deep voting fractures may be avoided. France and the UK are more likely to deviate from the common position, not necessarily only because of divergent interests, but especially because of their privileged status in the UN Security Council. The institutional design of this body tends to favor such separate pathways. Solutions must be conceived in the medium term so as to achieve greater consensus among EU member states, also within the Security Council.

Finally, the EU should continue to seek for an enhanced status at the UN, including within the Security Council. The EU could campaign for its own seat in the Security Council; however, extensive disagreements already exist among the EU Member States as regards Security Council reform, and patterns of representation in this crucial institution. Even if the Member States can reach an agreement on a potential collective representation of the EU, the other UN members could vote against the proposal on the grounds that the EU is already overrepresented in the UNSC (Pirozzi and Ronzitti 2011). Apart from France and the UK which are permanent members, there are also two seats for Western Europe and one seat for Eastern Europe in terms of non-permanent membership. One single EU seat would probably be an acceptable solution to the other UN members, but it is doubtful that any current EU (or other) member of the P-5 would agree to terminate its current privileged position. Another path could be a UNSC resolution inspired by the UNGA resolution that has granted the EU an enhanced status. However, if it aspires to increase its influence at the UN, the EU first has to demonstrate that it is able to speak with one voice and still act more coherently in its external relations.

REFERENCES


Cantore, Carlo M. 2011. We're one, but we’re not the same: Enhanced Cooperation and the Tension between Unity and Asymmetry in the EU. Perspectives on Federalism, 3(3): 1-21.
Drieskens, Edith. 2008. EU Actorness at the UN Security Council: A Principal-Agent Comparison of

http://www.telegraph.co.uk/news/worldnews/europe/8490946/EU-wins-super-observer-status-at-
UN.html.

Gottwald, Marlene. 2011. Which Way Forward? Three Years after Lehman, Two Years after Lisbon:
Present Challenges, Strategic Choices and Future Perspectives of the EU. The SEUS Conference

http://www.thenewfederalist.eu/Part-time-Ashton-Challenges-facing-the-EU-s-High-
Representative.04527.

Service. Policy Outlook, December.

Pirozzi, Nicoletta and Natalino Ronzitti. 2011. The European Union and the Reform of the UN

Rasch, Maximilian B. 2008. The European Union at the United Nations: The Functioning and

Whitman, Richard G. 2010. Strengthening The EU’s External Representation: The Role of The
European External Action Service. Standard briefing of the Policy Department of Directorate-General
for External Policies of the Union, February.

Wouters, Jan and Sanderijn Duquet. 2011. The EU, EEAS and Union Delegations and International
62.